

1400 Garden City Plaza
 Garden City, New York 11530
 (516) 742-4343 - Telephone
 (516) 742-4366 - Facsimile
 e-mail: intprop@ssmp.com

**SCULLY, SCOTT, MURPHY
 & PRESSER**

BEST AVAILABLE COPY

RECEIVED
 CENTRAL FAX CENTER
 MAR 07 2006

Fax

To: Examiner: Dalzid E. Singh
Group Art Unit: 2633
Confirmation No.: 1297

From: John S. Sensny, Esq.

Fax: (571) 273-8300 **Pages:** 14 (Including fax cover sheet)

Phone: **Date:** March 7, 2006

Re: Applicants: Casimer M. DeCusatis, et al.
 Serial No.: 09/964,190
 Filed: September 26, 2001
 For: "WAVELENGTH MODULATION FOR
 OPTICAL BASED SWITCHING AND ROUTING"
 Docket: FIS920010143US1 (14581)
 JSS:gc

cc

AMENDMENT UNDER 37 C.F.R. §1.111

TRANSMITTED HEREWITH:

1. Amendment Transmittal Letter (in duplicate);
2. Amendment under 37 C.F.R. §1.111;
3. Authorization to charge IBM Deposit Account No. 09-0458/IBM, if necessary; and
4. Certificate of Facsimile Transmission, dated March 7, 2006.

FOR:

Applicants: Casimer M. DeCusatis, et al.
 Serial No.: 09/964,190
 Filed: September 26, 2001
 For: "WAVELENGTH MODULATION FOR OPTICAL BASED SWITCHING AND ROUTING"
 Docket: FIS920010143US1 (14581)

JSS:jy

CONFIDENTIALITY: The documents accompanying this facsimile transmission may contain information which is either confidential or legally privileged and is intended only for the authorized use of the individual or entity named above without right or publication or republication, dissemination or disclosure except as expressly set forth or established by course of dealing. All rights are reserved. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the contents of this facsimile is prohibited. If you received this transmission in error, please notify us immediately by telephone to arrange for return of the documents.

If you have any problems concerning this facsimile, please call (516) 742-4343 and ask for Grace Colucci @ Ext. 590.

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)

Applicant(s): Casimer M. DeCusatis, et al.

Docket No.

FIS920010143US1 (14581)

Application No.
09/964,190Filing Date
September 26, 2001Examiner
Dalzid E. SinghGroup Art Unit
2633

Invention: WAVELENGTH MODULATION FOR OPTICAL BASED SWITCHING AND ROUTING

BEST AVAILABLE COPYI hereby certify that this AMENDMENT UNDER 37 C.F.R. §1.111
(Identify type of correspondence)is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. (571) 273-8300)on March 7, 2006
(Date)John S. Sensny
(Typed or Printed Name of Person Signing Certificate)John S. Sensny
(Signature)

Note: Each paper must have its own certificate of mailing.

P18/REV02

AMENDMENT TRANSMITTAL LETTER (Large Entity) Applicant(s): Casimer M. DeCusatis, et al.					Docket No. FIS920010143US1 (14581)	
Application No. 09/964,190	Filing Date September 26, 2001	Examiner Dalzid E. Singh	Customer No. 23389	Group Art Unit 2633	Confirmation No. 1297	
Invention: WAVELENGTH MODULATION FOR OPTICAL BASED SWITCHING AND ROUTING BEST AVAILABLE COPY						
<u>COMMISSIONER FOR PATENTS:</u>						
<p>Transmitted herewith is an amendment in the above-identified application.</p> <p>The fee has been calculated and is transmitted as shown below.</p>						
CLAIMS AS AMENDED						
TOTAL CLAIMS	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
INDEP. CLAIMS	2 -	3 =	0	x \$50.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>						\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$0.00
<p><input checked="" type="checkbox"/> No additional fee is required for amendment.</p> <p><input type="checkbox"/> Please charge Deposit Account No. in the amount of</p> <p><input type="checkbox"/> A check in the amount of to cover the filing fee is enclosed.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-0458/IBM</p> <p><input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.</p> <p><input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038.</p>						
<p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>						
 <i>John S. Sensny</i> <small>Signature</small>				Dated: March 7, 2006		
John S. Sensny Registration No. 28,757 SCULLY, SCOTT, MURPHY & PRESSER, P.C. 400 Garden City Plaza, Suite 300 Garden City, New York 11530 (516) 742-4343				<p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on (Date)</p> <p><i>Signature of Person Mailing Correspondence</i></p> <p><i>Typed or Printed Name of Person Mailing Correspondence</i></p>		
CC:						

AMENDMENT TRANSMITTAL LETTER (Large Entity)						Docket No. FIS920010143US1 (14581)											
<p>Applicant(s): Casimer M. DeCusatis, et al.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Application No.</td> <td style="width: 15%;">Filing Date</td> <td style="width: 15%;">Examiner</td> <td style="width: 15%;">Customer No.</td> <td style="width: 15%;">Group Art Unit</td> <td style="width: 15%;">Confirmation No.</td> </tr> <tr> <td>09/964,190</td> <td>September 26, 2001</td> <td>Dalzid E. Singh</td> <td>23389</td> <td>2633</td> <td>1297</td> </tr> </table>						Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.	09/964,190	September 26, 2001	Dalzid E. Singh	23389	2633	1297
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.												
09/964,190	September 26, 2001	Dalzid E. Singh	23389	2633	1297												
<p>Invention: WAVELENGTH MODULATION FOR OPTICAL BASED SWITCHING AND ROUTING</p>																	
BEST AVAILABLE COPY																	
<u>COMMISSIONER FOR PATENTS:</u>																	
<p>Transmitted herewith is an amendment in the above-identified application.</p> <p>The fee has been calculated and is transmitted as shown below.</p>																	
CLAIMS AS AMENDED																	
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE												
TOTAL CLAIMS	3 -	20 =	0	x \$50.00	\$0.00												
INDEP. CLAIMS	2 -	3 =	0	x \$200.00	\$0.00												
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00												
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00												
<p><input checked="" type="checkbox"/> No additional fee is required for amendment.</p> <p><input type="checkbox"/> Please charge Deposit Account No. in the amount of</p> <p><input type="checkbox"/> A check in the amount of to cover the filing fee is enclosed.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-0458/IBM</p> <p><input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.</p> <p><input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038.</p>																	
<p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>																	
<p><i>John S. Sensny</i> Signature</p>																	
<p>Dated: March 7, 2006</p>																	
<p><i>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" (37 CFR 1.8(a)) on</i></p>																	
<p><i>(Date)</i></p>																	
<p><i>Signature of Person Mailing Correspondence</i></p>																	
<p><i>Typed or Printed Name of Person Mailing Correspondence</i></p>																	

RECEIVED
CENTRAL FAX CENTER
MAR 07 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Casimer M. DeCusatis, et al.

Examiner: Dalzid E. Singh

Serial No.: 09/964,190

Group Art: 2633

Filed: September 26, 2001

Docket: FIS920010143US1 (14581)

For: WAVELENGTH MODULATION FOR
OPTICAL BASED SWITCHING AND ROUTING

Dated: March 7, 2006

Confirmation No.: 1297

BEST AVAILABLE COPY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT UNDER 37 C.F.R. §1.111

Sir:

In response to the Office Action dated December 7, 2005, please amend the subject patent application as follows.

Amendments to the Specification begin on page 2 of this paper.

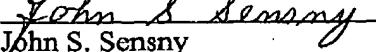
Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 6 of this paper.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Dated: March 7, 2006


John S. Sensny